

SA 3869. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3870. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3871. Ms. WARREN (for herself, Mr. DAINES, Mr. KING, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3872. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3873. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3874. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3875. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 3876. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3868. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 1. THRESHOLD FOR REPORTING ADDITIONS TO TOXICS RELEASE INVENTORY.

(a) IN GENERAL.—Section 7321 of the PFAS Act of 2019 (15 U.S.C. 8921) is amended—

(1) in subsection (b)—

(A) by striking paragraph (2);

(B) by striking the subsection designation and heading and all that follows through “Subject” in the matter preceding subparagraph (A) of paragraph (1) and inserting the following:

“(b) IMMEDIATE INCLUSION.—Subject”;

(C) in subparagraph (B), by striking “subparagraph (A)” and inserting “paragraph (1)”;

(D) in subparagraph (D), by striking “subparagraph (C)” and inserting “paragraph (3)”;

(E) in subparagraph (G), by striking “subparagraph (F)” and inserting “paragraph (6)”;

(F) by redesignating subparagraphs (A) through (I) as paragraphs (1) through (9), respectively, and indenting the paragraphs appropriately; and

(G) in paragraph (5) (as so redesignated)—

(i) in the matter preceding clause (i), by striking “class” and inserting “category”;

(ii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and indenting the subparagraphs appropriately; and

(iii) in subparagraph (B) (as so redesignated), by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and indenting the clauses appropriately;

(2) in subsection (c)—

(A) by striking paragraph (2);

(B) in paragraph (1), by striking “class” each place it appears and inserting “category”;

(C) by striking the subsection designation and heading and all that follows through “Subject” in the matter preceding clause (i) of paragraph (1)(A) and inserting the following:

“(c) INCLUSION FOLLOWING ASSESSMENT.—

“(1) DATE OF INCLUSION.—Subject”;

(D) by redesignating subparagraph (B) as paragraph (2);

(E) in paragraph (1) (as so designated)—

(i) in the matter preceding clause (i), by striking “subsection (b)(1)” and inserting “subsection (b)”;

(ii) by redesignating clauses (i) through (iv) as subparagraphs (A) through (D), respectively, and indenting the subparagraphs appropriately; and

(iii) in subparagraph (D) (as so redesignated), by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and indenting the clauses appropriately; and

(F) in paragraph (2) (as so redesignated), by striking “this paragraph” and inserting “this subsection”;

(3) in subsection (d)—

(A) by striking “classes” each place it appears and inserting “categories”;

(B) by striking “class” each place it appears and inserting “category”;

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “subsection (b)(1)” and inserting “subsection (b)”;

(ii) in subparagraph (L), by striking “subsection (b)(1)(F)” and inserting “subsection (b)(6)”;

(4) in subsection (e)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “subsection (b)(1), (c)(1)” and inserting “subsection (b), (c)”;

(B) by striking “class” each place it appears and inserting “category”;

(5) by adding at the end the following:

“(g) REPORTING REQUIREMENTS.—

“(1) THRESHOLD FOR REPORTING REQUIREMENTS.—

“(A) IN GENERAL.—

“(i) THRESHOLD.—Subject to subparagraph (C), the threshold for reporting under section 313 of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023) shall be met if, for a facility, the aggregate of the sums of quantities described in clause (ii) is not less than 100 pounds.

“(ii) SUMS OF QUANTITIES DESCRIBED.—The sums of quantities referred to in clause (i) are—

“(I) the sum of the quantities of substances and categories of substances described in subsections (b), (c), and (d)(3) manufactured by a facility;

“(II) the sum of the quantities of substances and categories of substances de-

scribed in subsections (b), (c), and (d)(3) processed by a facility; and

“(III) the sum of the quantities of substances and categories of substances described in subsections (b), (c), and (d)(3) otherwise used by a facility.

“(B) METHOD OF REPORTING.—After a threshold determination described in subparagraph (A)(i) has been made, a toxic chemical release form shall be reported separately for each substance or category of substances described in subsections (b), (c), and (d)(3) for which a facility conducted a manufacturing, processing, or other use activity.

“(C) REVISIONS.—Not later than 5 years after the date on which a perfluoroalkyl or polyfluoroalkyl substance or category of perfluoroalkyl or polyfluoroalkyl substances is included in the toxics release inventory under subsection (b), (c), or (d)(3), the Administrator shall—

“(i) determine whether revision of the threshold, category, or threshold and category under subparagraph (A)(i) is warranted for the substance or category of substances; and

“(ii) if the Administrator determines a revision to be warranted under clause (i), initiate a revision under section 313(f)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(f)(2)).

“(2) LIMITATIONS.—

“(A) CONDITIONAL ADDITION TO LIST OF LOWER THRESHOLDS FOR CHEMICALS OF SPECIAL CONCERN.—The Administrator shall revise section 372.28 of title 40, Code of Federal Regulations (or successor regulations), to add a perfluoroalkyl or polyfluoroalkyl substance or category of perfluoroalkyl or polyfluoroalkyl substances described in subsection (b), (c), or (d)(3) to that section unless the Administrator, in accordance with paragraph (1)(C), revises the threshold for reporting that substance or category of substances to 10,000 pounds or greater.

“(B) NOTIFICATION ABOUT TOXIC CHEMICALS.—A perfluoroalkyl or polyfluoroalkyl substance or category of perfluoroalkyl or polyfluoroalkyl substances described in subsection (b), (c), or (d)(3) shall not be eligible for the exemption from supplier notification under section 372.45(d)(1) of title 40, Code of Federal Regulations (or successor regulations).

“(C) REVISIONS.—Not later than 5 years after the date on which a perfluoroalkyl or polyfluoroalkyl substance or category of perfluoroalkyl or polyfluoroalkyl substances is included in the toxics release inventory under subsection (b), (c), or (d)(3), the Administrator shall—

“(i) determine whether revision of the supplier notification requirement under section 372.45 of title 40, Code of Federal Regulations (or successor regulations), is warranted for the substance or category of substances; and

“(ii) if the Administrator determines a revision to be warranted under clause (i), initiate a revision pursuant to section 328 of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11048).”

(b) CONFORMING AMENDMENTS.—Section 313(c)(2) of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11023(c)(2)) is amended—

(1) by striking “subsections (b)(1), (c)(1)” and inserting “subsections (b), (c)”;

(2) by striking “2019” and inserting “2019 (15 U.S.C. 8921)”.

SA 3869. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year